

FILED 10 MAR 01 14:30 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

ARNOLD HUSKEY,

Civil No. 09-1529-CL

Plaintiff,

v.

ORDER TO COLLECT INMATE
FILING FEE

GUY HALL, et al.,

Defendants.

CLARKE, Magistrate Judge.

Plaintiff's Application to Proceed In forma pauperis (#1) is allowed. Pursuant to the Prison Litigation Reform Act, 28 U.S.C. § 1915(b)(1)), a prisoner proceeding *in forma pauperis* is required to pay the full filing fee of \$350.00 when funds exist. Plaintiff has authorized the agency having custody of him to collect the filing fee from his inmate trust account when funds exist. However, plaintiff has been without funds for the six months immediately preceding the filing of his complaint. Accordingly, the court shall not assess an initial partial filing fee. 28 U.S.C. § 1915(b)(2). When funds exist, plaintiff shall be

obligated to make monthly payments of 20 percent of the preceding month's income credited to plaintiff's trust account. These payments shall be collected and forwarded by the agency having custody of plaintiff to the Clerk of the Court each time the amount in plaintiff's trust account exceeds \$10.00, until the filing fee is paid in full. Id.

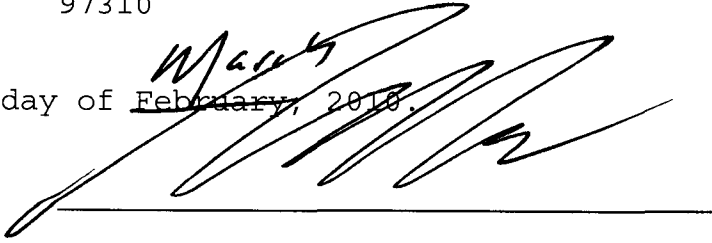
CONCLUSION

The Clerk of the Court is directed to send waiver of service packets to: Mr. Leonard Williamson
Department of Justice
1162 Court St. N.E.
Salem, Oregon 97301-4096

IT IS ORDERED that the appropriate officer at the Oregon Department of Corrections shall collect payments from plaintiff's inmate trust account and shall forward those payments to the Clerk of the Court in accordance with the formula set forth above until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action.

The Clerk of the Court is directed to send a copy of this order to: Oregon Department of Corrections
Central Trust Unit
2575 Center St.
Salem, Oregon 97310

DATED this 1 day of March, 2010.



Mark D. Clarke
United States District Judge